

**5615. Adulteration and misbranding of a compounded physician's prescription and "Spirits Camphor." U. S. \* \* \* v. Roger W. Duffey. Plea of guilty. Fine, \$30. (F. & D. No. 6951. I. S. Nos. 2060-h, 2062-h, 22107-h.)**

On July 11, 1916, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Police Court of the District aforesaid an information against Roger W. Duffey, Washington, D. C., alleging the sale by said defendant, at the District aforesaid, on August 19, 1913, in violation of the Food and Drugs Act, of an article of drugs compounded from a physician's prescription, and on said date, and on April 15, 1914, of quantities of an article labeled in part, "Spirits Camphor," which were adulterated and misbranded.

Analyses of samples of the article in each sale by the Bureau of Chemistry of this department showed the following results:

The article compounded from the physician's prescription:

Each powder contains on the average  $3\frac{1}{2}$  grains of antipyrin.

The two samples of "Spirits Camphor" contained respectively 8.94 grams and 8.0 grams of camphor per 100 cc.

Adulteration of the article compounded from the physician's prescription was alleged in the information for the reason that its strength and purity fell below the professed standard and quality under which it was sold, in that the prescription called for 36 grains of acetphenetidin in 12 powders, whereas, in truth and in fact, it did not contain any acetphenetidin.

Misbranding was alleged for the reason that the article purported to contain, in 12 powders, 36 grains of acetphenetidin, as directed by the prescription, whereas, in truth and in fact, the powders did not contain any acetphenetidin, but contained, approximately, 42 grains of another article, to wit, antipyrin, which had been substituted for and sold under the name of acetphenetidin.

Adulteration of the Spirits Camphor sold August 19, 1913, was alleged in the information for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and differed from the standard of quality and purity as determined by the test laid down in the said Pharmacopœia, official at the time of investigation of the article, in that said article contained 8.94 grams camphor per 100 cubic centimeters, and contained 65.6 per cent alcohol, whereas said Pharmacopœia provides that it should contain not less than 10 grams camphor per 100 cubic centimeters, and alcohol, approximately, 90 per cent; and the standard of strength, quality, and purity of said article was not declared on the container thereof.

Misbranding of the article was alleged for the reason that it contained alcohol, and the label failed to bear a statement of the quantity or proportion of alcohol contained therein.

Adulteration of the "Spt. Camphor," sold April 15, 1914, was alleged for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and differed from the standard of quality and purity as determined by the test laid down in the said Pharmacopœia, official at the time of the investigation of the article, in that it contained 8 grams camphor per 100 cubic centimeters, whereas said Pharmacopœia provides that it should contain not less than 10 grams of camphor per 100 cubic centimeters; and the standard of strength, quality, and purity of the article was not declared on the container thereof.

Misbranding of the article was alleged for the reason that it contained alcohol, and the label failed to bear a statement of the quantity or proportion of alcohol contained therein.

On July 11, 1916, the defendant entered a plea of guilty to counts 1, 3, and 5 of the information, charging adulteration of each article, and the court imposed a fine of \$30. Counts 2, 4, and 6 of the information, charging misbranding of each article, were nol-prossed.

C. F. MARVIN, *Acting Secretary of Agriculture.*